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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION**

JAR ETHER CARTER o/b/o  
J.A.C.

CIVIL ACTION NO. 07-1731

VS.

JUDGE MELANÇON

MICHAEL J. ASTRUE  
COMMISSIONER OF SOCIAL SECURITY

MAGISTRATE JUDGE METHVIN

**JUDGMENT**

This matter was referred to United States Magistrate Judge Mildred E. Methvin for her Report and Recommendation. After an independent review of the record and the applicable jurisprudence, and noting the absence of objection, this Court concludes that the Findings and Recommendation of the magistrate judge are correct and this Court adopts the conclusions set forth therein.

Accordingly, **IT IS ORDERED, ADJUDGED AND DECREED** that the Commissioner's decision is **REVERSED** and that benefits are awarded consistent with an onset date of January 27, 2004.<sup>1</sup>

Lafayette, Louisiana this 1<sup>st</sup> day of May, 2009.

  
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**TUCKER L. MELANÇON**  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> This constitutes a "final judgment" that triggers the filing period for an EAJA fee application. Shalala v. Schaeffer, 509 U.S. 292, 113 S.Ct. 2625, 2631 (1993); Freeman v. Shalala, 2 F.3d 552 (5<sup>th</sup> Cir. 1993).